



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/781,713 | 02/20/2004 | Bum-Jin Jung | 249004US2 | 4166 |

22850 7590 07/27/2007
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

| EXAMINER | |
|------------------|--|
| RUSSELL, WANDA Z | |

| ART UNIT | PAPER NUMBER |
|----------|--------------|
| 2616 | |

| NOTIFICATION DATE | DELIVERY MODE |
|-------------------|---------------|
| 07/27/2007 | ELECTRONIC |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

| | | | |
|------------------------------|--------------------------------------|--------------------------------------|--|
| Office Action Summary | Application No. 10/781,713 | Applicant(s) JUNG, BUM-JIN | |
| | Examiner Wanda Z. Russell | Art Unit 2616 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 10-2003-0076504.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) ✓ | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) ✓ | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/01/07</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1, 4, 5, 7, 8, 9, 11, 13, and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagatomo (Pub No. US 2004/0204145), in view of Weisman et al. (Pub No. US 2004/0148638).

For **claim 1**, Nagatomo substantially teaches a mobile communication terminal (Fig. 2A), comprising:

a contents receiver ([0009], line 20) for receiving moving image (moving picture, [0009], line 21) contents from a contents service server (service provider, [0050], line 2);

a contents reproduction unit (display unit, 13-Fig. 15, and [0030], lines 2-3) for reproducing ([0030], line 3) the moving image contents received from the contents receiver;

a contents output unit (image data buffer, [0057], line 4) for converting ([0057], line 7) the reproduced moving image contents into a user-recognizable signal (format conformable, [0082], lines 2-3); and

a moving image preview processor ([0111], lines 3-4) for receiving moving image file ([0110], line 4 & lines 1-4) information for the moving image contents from the contents service server.

However, Nagatomo fails to specifically teach transmitting a moving image preview request for the moving image contents to the contents service server, and then receiving a preview image for previewing the moving image contents.

Weisman et al. teach transmitting a moving image preview request (participant's inputs, [0096], lines 11-12) for the moving image contents to the contents service server, and then receiving a preview image ([0096], last 3 lines) for previewing the moving image contents.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Nagatomo with Weisman et al. to obtain the invention as specified, for services initiated by cell phones, such as video on demand.

For **claim 4**, Nagatomo and Weisman et al. substantially teach everything claimed as applied above (see claim 1). In addition, Weisman et al. teach the apparatus as set forth in claim 1, wherein the preview image is a moving image having a predetermined running time which is a part of the moving image contents ([0290], last line).

For **claim 5**, Nagatomo substantially teaches a wireless communication system (Fig. 1), comprising:

a contents service server (service provider, [0050], line 2) for providing moving image contents ([0009], line 21), a preview image ([0036], last line) for the moving image contents and moving image file ([0110], line 4 & lines 1-4) information for the moving image contents.

However, Nagatomo fails to specifically teach a mobile communication terminal for transmitting a moving image preview request according to the moving image file information from the contents service server to receive the preview image for previewing the moving image contents.

Weisman et al. teach a mobile communication terminal for transmitting a moving image preview request (participant's inputs, [0096], lines 11-12) according to the moving image file information from the contents service server to receive the preview image ([0096], last 3 lines) for previewing the moving image contents.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Nagatomo with Weisman et al. to obtain the invention as specified, for services initiated by cell phones, such as video on demand.

For **claim 7**, Nagatomo and Weisman et al. substantially teach everything claimed as applied above (see claim 5). In addition, Weisman et al. teach the wireless communication system as set forth in claim 5, wherein the preview image is a moving image having a predetermined running time which is a part of the moving image contents ([0290], last line).

For **claim 8**, Nagatomo and Weisman et al. substantially teach everything claimed as applied above (see claim 5). In addition, Nagatomo teaches the wireless communication system as set forth in claim 5, wherein the preview image includes a plurality of still images ([0089], lines 1-2) which are part of the moving image contents.

For **claims 9 and 11**, they are method claims corresponding to method claim 1 and 4 respectively, therefore it is rejected for the same reason above.

For **claims 13 and 15**, they are method claims corresponding to method claim 1 and 4 respectively, therefore it is rejected for the same reason above.

3. **Claims 2, 3, 6, 10, 12, 14, and 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagatomo (Pub No. US 2004/0204145), in view of Weisman et al. (Pub No. US 2004/0148638), and Pea et al. (Pub No. US 2004/0125148).

For **claim 2**, Nagatomo and Weisman et al. substantially teach everything claimed as applied above (see claim 1). However, they fail to specifically teach the apparatus as set forth in claim 1, wherein the moving image file information includes a size or a compression ratio of the moving image contents.

Pea et al. teach the apparatus as set forth in claim 1, wherein the moving image file information includes a size or a compression ratio ([0118], line 13) of the moving image contents.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Nagatomo with Weisman et al., and Pea et al. to obtain the invention as specified, for providing the information of a flexible size or compression ratio of the image file.

For **claim 3**, Nagatomo, Weisman et al., and Pea et al. substantially teach everything claimed as applied above (see claim 1 and 2). In addition, Nagatomo teaches the apparatus as set forth in claim 2, wherein the preview image includes a plurality of still images ([0089], lines 1-2) which are part of the moving image contents.

For **claim 6**, Nagatomo and Weisman et al. substantially teach everything claimed as applied above (see claim 5). However, they fail to specifically teach the apparatus as set forth in claim 5, wherein the moving image file information includes a size or a compression ratio of the moving image contents.

Pea et al. teach the apparatus as set forth in claim 5, wherein the moving image file information includes a size or a compression ratio ([0118], line 13) of the moving image contents.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Nagatomo with Weisman et al., and Pea et al. to obtain the invention as specified, for providing the information of a flexible size or compression ratio of the image file.

For **claims 10 and 12**, they are method claims corresponding to method claim 2 and 3 respectively, therefore it is rejected for the same reason above.

For **claims 14 and 16**, they are method claims corresponding to method claim 2 and 3 respectively, therefore it is rejected for the same reason above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wanda Z. Russell whose telephone number is (571) 270-1796. The examiner can normally be reached on Monday-Thursday 9:00-6:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

WZR

WZR

Seema S. Rao
SEEMA S. RAO 7/23/07
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600